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OUR FILE NO.

MEMO ENDORSED

United States District Court Judge Cathy Seibel
United States District Court
300 Quarropas Street
White Plains, New York 10601

USDC SDNY March 27, 2013
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 3/28/13

Re: Westley B. Artope v. Paul Bluhdorn and Paige Bluhdorn
11-CIV-5891

Dear Judge Seibel:

We represent a defendant, Paige Bluhdorn, 353 Sarles Street, Mount Kisco, New York 10549, in the above entitled action; and this letter is our Client's request for a pre-motion conference in accordance with your individual practices [2(A)].

Presently our Client's time to answer the summary judgment motion made by the plaintiff, Westley B. Artope on March 14, 2013 expires April 15, 2013; and on February 14, 2013 the parties were directed to appear at 9:30 a.m. on May 31, 2013 for a Bench ruling.

Since March 13, 2013 the plaintiff, Paige Bluhdorn, [REDACTED] has been an in-patient at Northern Westchester Hospital Center, 400 East Main Street, Mount Kisco, New York 10549; and due to her clinical condition she is unable to participate in any legal proceedings until her discharge date which is presently undetermined.

Please find attached a copy of the medical report of [REDACTED], Northern Westchester Hospital Center, 400 Main Street, Mount Kisco, New York 10549 dated March 27, 2013 certifying our Client's ongoing medical condition.

Pursuant to Federal Rules of Civil Procedure 21 and 42(b) our Office seeks permission to make an application to stay all proceedings as to her and to sever the claims against her and/or order a separate trial to avoid any prejudice due to her ongoing medical condition.

Application ~~Granted~~ Denied
So Ordered.

Cathy Seibel
Cathy Seibel, U.S.D.J.

Dated: 3/27/13

A stay and severance seem premature. But all deadlines are extended 30 days. If plaintiff is not well enough for Mr. Hersh to respond to the motion (which, after all, raises largely legal issues) he may make application again at that time. 5/31/13
bench ruling adjourned to: July 1, 2013 @ 3:30 pm
ReCourt wishes Mrs. Bluhdorn a speedy recovery.

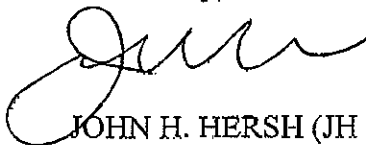
JOHN H. HERSH

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Further medical documentation will be provided as needed.

Yours truly,



JOHN H. HERSH (JH 1548)

JHH:as
enc.

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March 27, 2013
914-739-4200
John H. Hersh, Esq.
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Suite #212
Peekskill, NY 10566

RE: Paige Bludhorn

Dear Mr. Hersh,

Please note that the above-named patient, Paige Bludhorn, has been under my care at Northern Westchester Hospital since March 13, 2013.

Due to her clinical condition, she will be unable to participate in any legal proceedings until her discharge date, which is presently undetermined.

Should you have any other questions, please contact me.

Sincerely,

Board Certified
914-666-1589